



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
HENNESSEE GROUP, LLC,

Plaintiff,

-against-

RICHARD ROGEL,

Defendant.
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07 Civ. 7723 (SHS)

ORDER

SIDNEY H. STEIN, U.S. District Judge.

On August 30, 2007, defendant Richard Rogel filed a Notice of Removal removing this action from the Supreme Court of the State of New York, New York County, to the United States District Court for the Southern District of New York. Neither the complaint filed in the state court nor the Notice of Removal sets forth the date on which defendant received "a copy of the initial pleading setting forth the claim for relief upon which such action . . . is based." 28 U.S.C.

§ 1446(b); see Murphy Brothers, Inc., v. Michetti Pipe Stringing, Inc., 526 U.S. 344, 347-48, 119 S. Ct. 1322, 143 L. Ed. 448 (1999). Defendant is hereby ordered to notify this Court in writing on or before September 12, 2007, of the date on which he was served with the summons and complaint in the state action and, if that date is not within thirty days of August 30, 2007, why this action should not be remanded for failure to comply with the requirements of 28 U.S.C. § 1446(b).

Dated: New York, New York
September 5, 2007

SO ORDERED:

A handwritten signature in cursive script, appearing to read "Sidney H. Stein".

Sidney H. Stein, U.S.D.J.